

APA-1  
11/96

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-4-1-.03

Rule Title Enumeration

       New XXXX Amend        Repeal        Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? n/a

Are all facts of the rulemaking process designed solely for the purpose of and so they have as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of §41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of Certifying Officer Jabiria Ome Date 6/16/2014

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**FORM APA2**  
**11/96**

**STATE BOARD OF HEALTH**  
**NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-4-1-.03, Enumeration

INTENDED ACTION: Revision of Rule 420-4-1-.03.

SUBSTANCE OF PROPOSED ACTION: To amend enumerations pertaining to the Notifiable Diseases Chapter 420-4-1 of the Alabama Administrative Code.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held at 9:00 a.m. July 29, 2014, at the Alabama Department of Public Health, RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENTS AND COMPLETION OF NOTICE: Written or oral comments will be received until the close of the record at 5:00 p.m. on August 4, 2014. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Sherri Davidson, Analysis and Reporting Branch Manager, Epidemiology Division of the Bureau of Communicable Disease, Department of Public Health, 201 Monroe Street, Suite 1460, Montgomery, Alabama 36104. Telephone number (334) 206-2050.

  
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Patricia E. Ivie, Agency Secretary

Enumeration.

(1) The State Committee of Public Health, acting for the State Board of Health, shall designate in accordance with the Alabama Administrative Procedure Act, Code of Ala. 1975, §41-22-1, et seq., by majority vote, the diseases and health conditions which are notifiable and may change or amend such lists as deemed necessary. The diseases and health conditions so designated are declared diseases and health conditions of epidemic potential, a threat to the health and welfare of the public, or otherwise of public health importance.

(2) Disease categories. The State Committee of Public Health designates that ~~the~~ notifiable diseases shall be divided into three categories: (a) Immediate, extremely urgent - diseases/conditions notifiable within four hours of presumptive diagnosis; (b) Immediate, urgent - diseases/conditions notifiable within 24 hours of presumptive diagnosis; and (c) Standard - diseases/conditions notifiable within ~~seven~~ three days of diagnosis, unless otherwise noted. Said notifiable diseases are enumerated in Appendix I.

(3) Sexually Transmitted Diseases. The State Committee of Public Health, acting for the State Board of Health, shall designate in accordance with the Alabama Administrative Procedure Act, by majority vote, those notifiable diseases which shall be designated as sexually transmitted. Such sexually transmitted notifiable diseases shall be included within those designated in Rule 420-4-1-.03(1) and shall be reported as provided in Rule 420-4-1-.03(2). ~~Syphilis and HIV infection are specifically designated as those sexually transmitted diseases referred to in the Code of Ala. 1975, §22-11A-17(a).~~

(4) Duration of Reportability. Diseases declared to be notifiable by the State Committee of Public Health shall remain on the list of notifiable diseases until removed by majority vote of the State Committee of Public Health in accordance with the Alabama Administrative Procedure Act unless said Committee designates a specific period of time for a given disease to be notifiable as herein provided.

(5) Temporary Designation. The State Committee of Public Health, acting for the State Board of Health, may designate in accordance with the Alabama Administrative Procedure Act, by majority vote, a disease to be notifiable for a specified period of time. Said diseases and health conditions must be of epidemic potential, a threat to the health and welfare of the public, or otherwise of public health significance. When a disease or condition is so designated for a specified period of time, said

disease shall be added to the list of notifiable diseases effective immediately upon said designation and shall be removed from the list of notifiable diseases after the period of time designated has expired.

(6) Emergency Designation. The State Health Officer, acting for the State Committee of Public Health and for the State Board of Health may, when in his or her discretion he or she deems emergency action necessary, designate a disease or health condition to be notifiable. Diseases so designated by the State Health Officer shall remain notifiable until the next meeting of the State Committee of Public Health unless such designation is confirmed by the action of the State Committee of Public Health; in which case, the disease shall be made either permanently notifiable or temporarily notifiable by said Committee as herein provided.

**Author:** Donald E. Williamson, M.D., Sherri L. Davidson, M.P.H.

**Statutory Authority:** Code of Ala. 1975, §§22-2-2(6); 22-11A-1, et seq.

**History:** Filed September 1, 1982. **Emergency repeal and Adoption of New Rule:** Filed September 23, 1987. **Repealed and New Rule:** Filed November 19, 1987. **Emergency Rule:** Filed November 17, 1989; January 19, 1990; November 19, 1990. **Amended (Appendix also):** Filed August 22, 1994; effective September 28, 1994. **Amended (Appendix also):** Filed May 22, 1995; effective June 26, 1995. **Amended (Appendix only):** Filed November 18, 1999; effective December 23, 1999. **Amended (Appendix only):** Filed January 15, 2002; effective February 19, 2002. **Amended (Appendix only):** Filed May 28, 2003; effective July 2, 2003. **Amended (Appendix only):** Filed August 20, 2003; effective September 24, 2003. **Amended (Appendix only):** Filed February 20, 2004; effective March 26, 2004. **Amended (Appendix only):** Filed September 17, 2010; effective October 22, 2010. **Repealed and Replaced:** Filed May 26, 2011, effective date June 30, 2011. **Repealed and Replaced:** Filed XXXX XX, 2014, effective date XXXX XX, 2014.